



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

JAM  
F.#2017R01195

*271 Cadman Plaza East  
Brooklyn, New York 11201*

January 8, 2018

By Hand Delivery and ECF

Steve Zissou, Esq.  
42-40 Bell Boulevard  
Suite 304  
Bayside, New York 11361

Re: United States v. Zoobia Shahnaz  
Criminal Docket No. 17-690 (JS)

Dear Mr. Zissou:

Enclosed please find the government's discovery in accordance with Rule 16 of the Federal Rules of Criminal Procedure. The government also requests reciprocal discovery from the defendant.

Specifically, the government is providing the following materials, which have been marked as either "sensitive" or "highly sensitive" under the terms of the Stipulation and Protective Order issued on January 5, 2018:

- Federal Bureau of Investigation Reports, Bates numbered ZS-0000001-6, marked "sensitive"
- American Express records, Bates numbered ZS-0000007-46, marked "sensitive"
- Coinbase records, Bates numbered ZS-0000047-53, marked "sensitive"
- Discover records, Bates numbered ZS-0000054-106, marked "sensitive"
- JP Morgan Chase records, Bates numbered ZS-0000107-211, marked "sensitive"
- Prabhu Group records, Bates numbered ZS-0000212-239, marked "highly sensitive"
- TD Bank records, Bates numbered ZS-0000240-331, marked "sensitive"
- Spreadsheets of the defendant's financial activity, Bates numbered ZS-0000332 and ZS-0000431-432, marked "highly sensitive"
- Excerpts from notebooks and other documents recovered from the defendant's home incident to her arrest and pursuant to search warrant, Bates numbered ZS-0000333-385, marked "highly sensitive"
- Screenshots of internet pages noted and referenced in the defendant's notebooks and other documents, Bates numbered ZS-0000386-430

- A copy of the Draft Transcript and Work Product Stipulation, executed by the defense and the government on January 2, 2018, Bates numbered ZS-0000433-434
- A DVD, Bates numbered ZS-0000435 and marked “highly sensitive,” containing preliminary forensic reports pertaining to:
  - the defendant’s internet history and usage at her former place of employment
  - a Samsung Galaxy S7 recovered from the defendant on July 31, 2017 at John F. Kennedy International Airport (“JFK”)
  - a Lenovo laptop recovered from the defendant’s home on July 31, 2017

Please note that the enclosed forensic reports contained on ZS-0000435 do not contain all findings regarding the aforementioned devices and sources, as the analyses are ongoing. Additionally, please note that the enclosed spreadsheets, Bates numbered ZS-0000332 and ZS-0000431-432, are also subject to the Draft Transcript and Work Product Stipulation, which was executed on January 2, 2018 and included herein as ZS-0000433-434.

I. The Government’s Discovery

A. Statements of the Defendant

Statements of the defendant are contained in the aforementioned materials, including law enforcement reports, notebooks and other documents.

B. The Defendant’s Criminal History

The government is not aware of the defendant having any criminal history.

C. Documents and Tangible Objects

The following items were recovered from the defendant on July 31, 2017 at JFK:

1. S7 Samsung Galaxy smartphone
2. S6 Samsung Galaxy smartphone
3. Lenovo laptop
4. 32 gigabyte Toshiba USB drive
5. Samsung micro SD adapter

The following items were recovered from the defendant’s home on July 31, 2017:

1. Lenovo laptop

The following items were recovered from the defendant’s home and from the defendant incident to her arrest on December 13, 2017:

1. MP3 Player
2. iPhone

3. Samsung Tablet
4. Nightvision Scope
5. Notebooks and handwritten notes
6. LG flip phone
7. Miscellaneous financial, employment, and other documents
8. iPad
9. Passports
10. Sandisk SD Card
11. SIM cards
12. Thumb Drives and flash drives
13. Wallet
14. Blackberry
15. iPod

You may examine the physical evidence discoverable under Rule 16, including original documents or photographs, by calling me to arrange a mutually convenient time.

D. Reports of Examinations and Tests

The government will provide you with copies of any additional reports of examinations or tests in this case as they become available.

E. Expert Witnesses

The government will comply with Fed. R. Crim. P. 16(a)(1)(G) and Fed. R. Evid. 702, 703 and 705 and notify you in a timely fashion of any expert that the government intends to call at trial and provide you with a summary of the expert's opinion. The identity, qualifications, and bases for the conclusions of each expert will be provided to you when they become available.

F. Brady Material

The government is not aware of any exculpatory material regarding the defendant. The government understands and will comply with its continuing obligation to produce exculpatory material as defined by Brady v. Maryland, 373 U.S. 83 (1963), and its progeny.

Before trial, the government will furnish materials discoverable pursuant to Title 18, United States Code, Section 3500, as well as impeachment materials. See Giglio v. United States, 405 U.S. 150 (1972).

G. Other Crimes, Wrongs or Acts

The government will provide the defendant with reasonable notice in advance of trial if it intends to offer any material under Fed. R. Evid. 404(b).

II. The Defendant's Required Disclosures

The government hereby requests reciprocal discovery under Rule 16(b) of the Federal Rules of Criminal Procedure. The government requests that the defendant allow inspection and copying of (1) any books, papers, documents, data, photographs, tapes, tangible objects, or copies or portions thereof, that are in the defendant's possession, custody or control, and that the defendant intends to introduce as evidence or otherwise rely on at trial, and (2) any results or reports of physical or mental examinations and of scientific tests or experiments made in connection with this case, or copies thereof, that are in the defendant's possession, custody or control, and that the defendant intends to introduce as evidence or otherwise rely upon at trial, or that were prepared by a witness whom the defendant intends to call at trial.

The government also requests that the defendant disclose prior statements of witnesses who will be called by the defendant to testify. See Fed. R. Crim. P. 26.2. In order to avoid unnecessary delays, the government requests that the defendant have copies of those statements available for production to the government no later than the commencement of trial.

The government also requests that the defendant disclose a written summary of testimony that the defendant intends to use as evidence at trial under Rules 702, 703, and 705 of the Federal Rules of Evidence. The summary should describe the opinions of the witnesses, the bases and reasons for the opinions, and the qualification of the witnesses.

Pursuant to Fed. R. Crim. P. 12.3, the government hereby demands written notice of the defendant's intention, if any, to claim a defense of actual or believed exercise of public authority, and also demands the names and addresses of the witnesses upon whom the defendant intends to rely in establishing the defense identified in any such notice.

III. Future Discussions

If you have any questions or requests regarding further discovery or a disposition of this matter, please do not hesitate to contact me.

Please be advised that, pursuant to the policy of the Office concerning plea offers and negotiations, no plea offer is effective unless and until made in writing and signed by authorized representatives of the Office. In particular, any discussion regarding the pretrial disposition of a matter that is not reduced to writing and signed by authorized representatives of the Office cannot and does not constitute a “formal offer” or a “plea offer,” as those terms are used in Lafler v. Cooper, 132 S. Ct. 1376 (2012), and Missouri v. Frye, 132 S. Ct. 1399 (2012).

Very truly yours,

RICHARD P. DONOGHUE  
Acting United States Attorney

By: /s/ Artie McConnell  
Artie McConnell  
Assistant U.S. Attorneys  
(631) 715-7825

Enclosures (ZS-0000001-435)

cc: Clerk of the Court (JS) (by ECF) (without enclosures)